

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN AYERS,

Plaintiff,

v.

J. D. LOZANO, et al.,

Defendants.

No. C 13-04428 EJD (PR)

ORDER GRANTING MOTION FOR
RECONSIDERATION AND
REOPENING ACTION

On December 9, 2013, the Court granted Plaintiff's motion for voluntary dismissal and closed the file. (Docket No. 8.) Plaintiff has filed a letter stating that he wants to "withdraw my withdrawal" because he was not aware that he would still be responsible for paying the full filing fee. (Docket No. 11.) The Court construes the letter as a motion for reconsideration, and in the interest of justice, GRANTS the motion. The Judgment entered on December 9, 2013, (Docket No. 9) is VACATED. The Court will conduct an initial review of the petition in a separate order.

The Clerk shall reopen this action.

DATED: 6/9/14


HOWARD R. LLOYD
United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOHN AYERS,

Plaintiff,

v.

J. D. LOZANO, et al.,

Defendants.

Case Number: CV13-04428 HRL

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 6/9/14, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John Ayers C68750
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960

Dated: 6/9/14

P. Cromwell deputy
Richard W. Wieking, Clerk